



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

10 SOUTH WACKER DRIV :
SUITE 3000
CHICAGO, ILLINOIS 60606
TEL: 312.463.5000
FAX: 312.463.5001
www.bannerwitcoff.com

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
PCT LEGAL	Robert H. Resis
COMPANY:	DATE:
US Patent and Trademark Office	August 18, 2005
FAX NO.:	TOTAL NO. OF PAGES: (including cover sheet)
571.273.0459	8
YOUR REFERENCE NO.:	OUR REFERENCE (C/M) NO.:
	006420.00003

RE: Notice of Missing Requirement
10/525,992
Agora et al.
Filed February 28, 2005

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME:	PHONE:
Susan Kim	312.463.5525

COMMENTS:

RECEIVED
18 AUG 2005
Legal Staff
International Division

Important/Confidential: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of Banner & Witcoff, Ltd. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

P O/SB/21 (09-04)

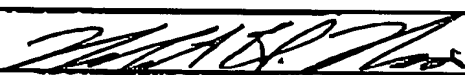
Approved for use through 07/31/2008 OMB 0851-0031

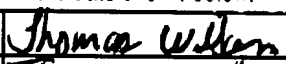
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/525,992	
	Filing Date	February 28, 2005	
	First Named Inventor	Arora	
	Art Unit	1615	
	Examiner Name	TBD	
Total Number of Pages in This Submission	8	Attorney Docket Number	006420.00003

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply, Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Communication for Which There is No Other Form Executed Declaration Copy of Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 Facsimile Coversheet
Remarks: Commissioner of Patents is hereby authorized to charge and additional fees or credit and overpayments to deposit account 19-0733.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Robert H. Resis		
Date	August 18, 2005	Reg. No.	32,168

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Thomas Wilson	Date	8-19-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2008. OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPT. OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/09/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2005</h3>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/525,992
		Filing Date	February 28, 2005
		First Named Inventor	Arora
		Examiner Name	TBD
		Art Unit	1615
TOTAL AMOUNT OF PAYMENT (\$) 130.00		Attorney Docket No.	006420.00003

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____
☒ Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, L.P.D.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments
 Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	—
Design	200	100	100	50	130	65	—
Plant	200	100	300	150	160	80	—
Reissue	300	150	500	250	600	300	—
Provisional	200	100	0	0	0	0	—

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	00
Multiple dependent claims	360	80
Total Claims	Extra Claims	Fee (\$)
_____ - 20 or HP= _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
_____ - 3 or HP= _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE


If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	_____ / 50 = _____	_____ (round up to a whole number) x _____		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	Fee: Paid (\$)
Other (e.g., late filing surcharge): Late Oath and Declaration Surcharge	130.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	32,168
Name (Print/Type)	Robert H. Resis	Telephone	312.463.5000
		Date	August 18, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 006420.00003)

In re U.S. Patent Application of)	
Sudershan ARORA et al.)	Group Art Unit: 1615
)	
Application No. 10/525,992)	Confirmation No.: 2784
)	
Filed: February 28, 2005)	Examiner: TBD
)	
For: Herbal Extract Comprising a Mixture)	
of Saponins Obtained from Sapindus)	
Trifoliatum for Anticonvulsant Activity)	

Communication For Which There Is No Other Form

Commissioner of Patents
Mail Stop PCT Legal
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

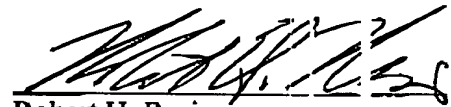
Applicant believes that the Notice of Acceptance of Application Under 35 U.S. C. 371 and 37 CFR 1.495 (copy enclosed) was erroneously sent in place of a Notice of Missing Requirements. An unexecuted Declaration was filed on February 28, 2005 along with the application and other pertinent documents. A Notice of Acceptance of Application Under 35 U.S. C. 371 and 37 CFR 1.495 was mailed on July 19, 2005. Applicant should have received a Notice of Missing Requirements requesting an executed Declaration.

Applicant respectfully requests that the attached executed declaration be accepted and entered. Applicant believes there is a fee of \$130.00 for a late oath or declaration. Applicant hereby authorizes Commissioner of Patents to charge the deposit account \$130.00, including any additional fees or overpayments to deposit account 19-0733.

Respectfully submitted,

Dated: August 18, 2005

By:



Robert H. Resis
Registration No. 32,168
BANNER & WITCOFF, LTD.
10 South Wacker Drive, Suite 3000
Chicago, Illinois 60606
Tel: (312) 463-5000



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313 1450
www.uspto.gov

RHR/RPR

U.S. APPLICATION NUMBER NO. 10/525,992	FIRST NAMED APPLICANT Sudershan Kumar Arora	ATTY. DOCKET NO. 0064-000003
INTERNATIONAL APPLICATION NO. PCT/IN03/00289		
LA. FILING DATE 08/27/2003		PRIORITY DATE 08/28/2002

22908
BANNER & WITCOFF, LTD.
TEN SOUTH WACKER DRIVE
SUITE 3000
CHICAGO, IL 60606

CONFIRMATION NO. 2784
371 ACCEPTANCE LETTER
OC000000016546421

Date Mailed: 07/19/2005

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>02/28/2005</u>	<u>02/28/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 02/28/2005
- Copy of the International Search Report filed on 02/28/2005
- Copy of IPE Report filed on 02/28/2005
- Preliminary Amendments filed on 02/28/2005
- Information Disclosure Statements filed on 02/28/2005
- Oath or Declaration filed on 02/28/2005
- Request for Immediate Examination filed on 02/28/2005
- U.S. Basic National Fees filed on 02/28/2005
- Priority Documents filed on 02/28/2005
- Power of Attorney filed on 02/28/2005

6:20. 00003
DOCKETED MW
ACCEPTANCE OF APPLICATION
JUL 26 2005 REC'D

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.51)

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

Attorney Docket No. 006420.00003

JOINT DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **HERBAL EXTRACT COMPRISING A MIXTURE OF SAPONINS OBTAINED FROM SAPINDUS TRIFOLIATUS FOR ANTICONVULSANT ACTIVITY**, the specification of which was filed on Feb. 28, 2005 as Application Serial Application No. 10/525,992 and was amended on _____ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (day month year)	Date of Issue (day month year)	Priority Claimed Under 35 U.S.C. §119
India	779/MUM/2002	28-08-2002		
PCT	PCT/IN03/000289	27-08-2003		X
				X

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

U.S. Provisional Application No.	Date of Filing (day month year)	Priority Claimed Under 35 U.S.C. §119(e)(1)

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing (Day Month Year)	Status of Prior Application Patented, Pending, Abandoned

Attorney Ecket No. 006420.00003

All correspondence and telephone communications should be addressed to:

Banner & Witcoff, Ltd.
Customer Number: 22908

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FIRST INVENTOR:

Full Name: **ARORA, Sudershan, Kumar**
Citizenship: **USA**
Residence: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**
Post Office Address: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**

Date: 27/04/2005Signature: 

SECOND INVENTOR:

Full Name: **SRIVASTAVA, Vandita**
Citizenship: **India**
Residence: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**
Post Office Address: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**

Date: 27.04.05Signature: 

THIRD INVENTOR:

Full Name: **ADDEPALLI, Veeranjanyulu**
Citizenship: **India**
Residence: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**
Post Office Address: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**

Date: 27/4/2005Signature: 

FOURTH INVENTOR:

Full Name: **NATESAN, Sridhar**
Citizenship: **India**
Residence: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**
Post Office Address: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**

Date: 27/4/05Signature: 

FIFTH INVENTOR:

Full Name: **GOEL, Rajan**
Citizenship: **India**
Residence: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**
Post Office Address: **Lupin Ltd. (Research Park), 46/47A, Nande Village, Taluka Mulshi, Pune 411 042, India**

Date: 27/04/05Signature: 

*** RX REPORT ***

RECEPTION OK

TX/RX NO	8950
RECIPIENT ADDRESS	13124635001
DESTINATION ID	
ST. TIME	08/18 17:35
TIME USE	04'48
PGS.	8
RESULT	OK